G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1905.
(Miscellaneous.)

File No. 3

Serial Nos. 1–3

Papers Filed.

*Month*_____

SUBJECT.

Rejects the appeal of Ibbadi Basavaraj Hiro in the matter of his eviction from an Inam land endowed to the Anjaneya temple at Manur Village in the Arkalgud Taluk.

PREVIOUS REFERENCES	LATER REFERENCES

MUZRAI DEPARTMENT.

OFFICE NOTE.

Subject
Appeal of Ibbadi Basavaraj into
in the matter of his eviction from an Inam land

LAST REFERENCE.—

Letter No R 2949 / Mis 174-03-16 — dated 30th September 1904 from the Secretary to Govt—, General and Revenue departments.

Sur. no. 74 in the Manur village, Arkalgud Taluk, is an inam land endowed to the Anjaneya temple in the said village. This land is stated to have been in the enjoyment of the appellant's father for "Kulbanni" paying Rs 1-8-0 to the Pujari annually. In 1872, the Patel of the village applied for this land * for garden cultivation on more favorable terms for the benefit of the temple. To this the appellant objected * agreed to take up the land himself for the purpose. He failed to plant up the land * when questioned stated that owing to famine * consequent scarcity of water, the plants had died.

13th March 1872
Flag A

23rd July 1872
Flag B

A few trees were planted by him when they began to yield, he failed to pay half the produce as agreed by him. He tried to prove that he did not agree to these conditions. Afterwards he agreed (-x Plaint C
under a Registered Bond to pay Rs 17-5-0 per annum to the temple, but went away without paying the promised amount. Notice was served on him which was not responded to. The land was sold by public auction to Chickka Urs for Rs 52 a year to the advantage of the temple. The petitioner's application was rejected by the D.C. (-x Plaint
Against this, the pet.r has appealed
= The D.C.'s report - a typed copy (-x Plaint E.
of which is put up clearly explains the facts of the case. The appeal was presented to the Govt. & Rev. Secretariat who called for the report in question. The Govt. & Rev. Secretary has transferred the file to this Secretariat and states that (-x Plaint
it has been held that the case does not fall within the jurisdiction of the Council Committee.

Submitted for orders
14-11-1904 15/11/04

Under the circumstances clearly explained in the Dy Comrs report I think the Dy Comrs action in selling the land may be approved, and the appeal petition rejected.

Chanda Saran Das
25/11/04

Subd to the Dewan through the 2nd Asst

179
25/11/04

The order of the Land Settlement Commissioner the Temple & the extent of Rs 52 for a mutt may be approved. Petn Enclosed. Chanda
27/11/04

Read
28/11/04

28/11/04

21-9
3-11-04

Read
5/12/04

Draft
5/12/04

Reid
7.12.04

Draft
5/12/04

Draft submitted
7.12.04

Issue
8/12/04

Two Rupees

Mysore Government

Date 8-3-1904

Appeal No 16 of

1

2

3

4

ਅਦਾਲਤ ਸ੍ਰੀ ਹਰਿਮੰਦਰ ਜੀ ਸਾਹਿਬ —

ਮਿਤੀ ੫-੩-੧੯੦੪ ਦਰਖਾਸਤ ਸ਼ਾਮਲ ਹੋਈ ਕਿ ਮੁਦਈ ਨੇ ਮੁਦਾਲਿਹ ਉੱਤੇ ਦਾਵਾ ਕੀਤਾ ਹੈ ਕਿ ਮੁਦਾਲਿਹ ਨੇ ਮੁਦਈ ਦੀ ਜ਼ਮੀਨ ਦੇ ਕੁਝ ਹਿੱਸੇ ਉੱਤੇ ਨਾਜਾਇਜ਼ ਕਬਜ਼ਾ ਕਰ ਲਿਆ ਹੈ ਅਤੇ ਉਸ ਉੱਤੇ ਇਮਾਰਤ ਬਣਾ ਲਈ ਹੈ। ਮੁਦਈ ਨੇ ਅਦਾਲਤ ਤੋਂ ਮੰਗ ਕੀਤੀ ਹੈ ਕਿ ਮੁਦਾਲਿਹ ਨੂੰ ਹੁਕਮ ਦਿੱਤਾ ਜਾਵੇ ਕਿ ਉਹ ਕਬਜ਼ਾ ਛੱਡੇ ਅਤੇ ਇਮਾਰਤ ਢਾਹ ਦੇਵੇ। ਮੁਦਾਲਿਹ ਨੇ ਜਵਾਬ ਦਿੱਤਾ ਕਿ ਜ਼ਮੀਨ ਉਸ ਦੀ ਹੈ ਅਤੇ ਉਸ ਦੇ ਕਾਗਜ਼ਾਤ ਮੌਜੂਦ ਹਨ।

ਮੁਕੱਦਮਾ ਦਾਇਰ ਹੋਣ ਤੋਂ ਪਹਿਲਾਂ ਮੁਦਈ ਨੇ ਇਹ ਜ਼ਮੀਨ ਮੁਦਾਲਿਹ ਤੋਂ ਖਰੀਦੀ ਸੀ ਜਾਂ ਨਹੀਂ, ਇਸ ਬਾਰੇ ਦੋਵਾਂ ਧਿਰਾਂ ਵਿੱਚ ਮਤਭੇਦ ਹੈ। ਮੁਦਈ ਦਾ ਕਹਿਣਾ ਹੈ ਕਿ ਉਸ ਨੇ ਜ਼ਮੀਨ ਖਰੀਦੀ ਸੀ ਅਤੇ ਉਸ ਦੇ ਕਾਗਜ਼ਾਤ ਮੌਜੂਦ ਹਨ। ਮੁਦਾਲਿਹ ਦਾ ਕਹਿਣਾ ਹੈ ਕਿ ਉਸ ਨੇ ਜ਼ਮੀਨ ਖਰੀਦੀ ਸੀ ਅਤੇ ਉਸ ਦੇ ਕਾਗਜ਼ਾਤ ਮੌਜੂਦ ਹਨ।

ਮੁਦਈ ਨੇ ਆਪਣੇ ਦਾਅਵੇ ਦੇ ਸਬੂਤ ਵਜੋਂ ਇੱਕ ਰਜਿਸਟਰੀ ਪੇਸ਼ ਕੀਤੀ ਹੈ ਜੋ ਮਿਤੀ ੨੩-੬-੧੯੦੪ ਦੀ ਹੈ ਅਤੇ ਜਿਸ ਦਾ ਨੰਬਰ ੧੬੫੫/੫੯੨ ਹੈ। ਮੁਦਾਲਿਹ ਨੇ ਆਪਣੇ ਦਾਅਵੇ ਦੇ ਸਬੂਤ ਵਜੋਂ ਇੱਕ ਰਜਿਸਟਰੀ ਪੇਸ਼ ਕੀਤੀ ਹੈ ਜੋ ਮਿਤੀ ੧੫-੩-੧੯੦੩ ਦੀ ਹੈ ਅਤੇ ਜਿਸ ਦਾ ਨੰਬਰ ੮੨੪ ਹੈ।

ਅਦਾਲਤ ਨੇ ਦੋਵਾਂ ਧਿਰਾਂ ਦੇ ਵਕੀਲਾਂ ਦੀਆਂ ਦਲੀਲਾਂ ਸੁਣੀਆਂ ਅਤੇ ਰਿਕਾਰਡ ਦੇਖਿਆ। ਅਦਾਲਤ ਦਾ ਵਿਚਾਰ ਹੈ ਕਿ ਮੁਦਈ ਦੀ ਰਜਿਸਟਰੀ ਮੁਦਾਲਿਹ ਦੀ ਰਜਿਸਟਰੀ ਤੋਂ ਪਹਿਲਾਂ ਦੀ ਹੈ, ਇਸ ਲਈ ਮੁਦਈ ਦਾ ਹੱਕ ਪਹਿਲ ਵਾਲਾ ਹੈ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਮੁਦਈ ਦੇ ਗਵਾਹਾਂ ਨੇ ਵੀ ਇਹੋ ਕਿਹਾ ਹੈ ਕਿ ਜ਼ਮੀਨ ਮੁਦਈ ਦੀ ਹੈ।

ਇਸ ਲਈ ਅਦਾਲਤ ਦਾਅਵਾ ਮੁਦਈ ਦੇ ਹੱਕ ਵਿੱਚ ਡਿਗਰੀ ਕਰਦੀ ਹੈ ਅਤੇ ਮੁਦਾਲਿਹ ਨੂੰ ਹੁਕਮ ਦਿੰਦੀ ਹੈ ਕਿ ਉਹ ਜ਼ਮੀਨ ਖਾਲੀ ਕਰੇ ਅਤੇ ਇਮਾਰਤ ਢਾਹ ਦੇਵੇ। ਮੁਦਾਲਿਹ ਨੂੰ ਇਹ ਵੀ ਹੁਕਮ ਦਿੱਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਹ ਮੁਦਈ ਨੂੰ ਮੁਕੱਦਮੇ ਦਾ ਖਰਚਾ ਅਦਾ ਕਰੇ।

1310

No. R2949 Index as per marginal note
Mar 1714-03-16

From

B.K. Venkatavarada Iyengar, Esq.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Genl. and Rev. Dept.

To

L. Anantasami Rao, Esq., B.A.,
Secretary to the Govt. of H.H. the Maharaja of
of Mysore, Muzrai Department.

Dated Bangalore, the ~~28th~~ 30th September 1904.

General and Rev. Secretariat.

Sir,

I am directed to forward herewith for your disposal, the papers noted in the margin relating to the appeal of Ibbadi Basavaraj Urs about his eviction from Survey No. 74 of Marur village, Arkalgud Taluk, granted as Inam to the Anjeneyadevaru of the said village, as the question related to a Muzrai matter and as it has been held that the case does not fall within the jurisdiction of the council committee.

(1) Petition No. 2071 dated 5-3-1904 with its four enclosures.
(2) Copy of the Hassan Deputy Commissioner's report thereon No. 576 dated 25-6-1904.
(3) The Vernacular records received with the above letter.

I have the honour to be,

Sir,

Your most obedient servant,

For Secretary.

G. R. S. 31

Letter No. 576 dated 25th. June 1904, from the Deputy Commissioner of the Hassan District, to the Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department.

With reference to your official memorandum No. Poty.1222 dated 6th April 1904, forwarding, for report the petition from Ibbadi Basavaraj Urs of Marur, Arkalgud Taluk, appealing against the Deputy Commissioner's order regarding his claim to the occupancy of Survey No. 74 of the said village, I have the honor to state that the land in question (Naji No. 323 before Survey settlement) is an Inam land endowed to the Anjaneya temple at Marur. The land was in the enjoyment of the petitioner's father for "hulbanni" paying Rs. 1-8-0 to the Pujari of the temple every year. On 13th March 1872 Patel Andanappa of Marur gave a petition to the Amildar stating, that since the land in question was being enjoyed only as grazing land on payment of Rs. 1-8-0 per year there was no income to the temple, that he would take up the land and plant it up with cocoanut and arecanut trees, that he would pay Rs. 2 evry year to the temple till the plants yielded and that then he would give away half the produce of the garden to the temple. On this the petitioner Basavaraj Urs objected to the land being taken away from him and agreed to plant it

up with cocoanut and arecanut trees himself. In 1881 or 10 years afterwards there was another petition from another Andanappa stating that Basavaraja Urs failed to plant up the land and praying that the land may be given over to him. When the petitioner was questioned he stated that he had planted up the land but that owing to famine and the consequent scarcity of water the plants died, and prayed that he himself may be left in the possession of the land. He accordingly raised a few trees and when they commenced to yield be failed to give half the produce to the temple as was agreed upon. Upon a complaint made by the pujari the petitioner was sent for and his statement recorded by the Amildar In this statement dated 19th. October 1897 (Perist No. 28) the petitioner stated that he did not execute the several muchalikas and that the signatures affixed thereto and to the statements recorded by several different officers were not his. On a further representation however the land was left in the possession of the petitioner upon execution of a registered bond by him agreeing to pay Rs. 17-5-0 to the temple every year and to plant up the remaining portion with cocoanut and arecaunt trees. But since then he left the place and went away to a village in the Hunsur Taluk not only leaving the garden uncared for but also not paying the promised sum to the temple. A notice was then issued to him but it was not ~~then issued to him but it was not~~ responded

to. Seeing that the petitioner neglected the garden and had not paid up the dues for three years, it was ordered that the land should be disposed of to the best advantage of the temple and accordingly it was sold by public auction to one Chikka Urs for Rs. 52/- a year. The petitioner then applied to the Deputy Commissioner for cancellation of the sale but the application was rejected and the present appeal is against that order.

The petition with its enclosures and the records connected therewith ending with Arkalgud Amildar's report No. 37 dated 25th. September 1903 are herewith submitted together with a copy of the endorsement dated 9th February 1904 given to the petitioner.

"C O P Y"

For Secretary.

2/9

ಸಂಖ್ಯೆ: ಸಿಇಒ/ಜಿಪಂ/ಕಾಮ/ಎಸ್‌ಎಫ್‌ಸಿ/ಕೆಆರ್‌ಐಡಿಪಿ/2018-19/

ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಭಿಯಂತರರು,
ಕರ್ನಾಟಕ ನೀರಾವರಿ ಅಭಿವೃದ್ಧಿ ಸಂಸ್ಥೆ,
ಕೆ.ಆರ್.ಐ.ಡಿ.ಪಿ. ಉಪವಿಭಾಗ, ಕೊಪ್ಪಳ.

ಕಾರ್ಯನಿರ್ವಾಹಕ ಅಭಿಯಂತರರು ಕೆ.ಆರ್.ಐ.ಡಿ.ಪಿ. ಉಪವಿಭಾಗ ಕೊಪ್ಪಳ ಇವರಿಗೆ ಕೊಪ್ಪಳ ತಾಲೂಕಿನ ಕೆರೆಗಳಿಗೆ ಹಿರೇಹಳ್ಳ ಜಲಾಶಯದಿಂದ ನೀರು ತುಂಬಿಸುವ ಯೋಜನೆಯ ಕಾಮಗಾರಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತ

ನಾ ಅಲ್ಲಿ ಸಿಕ್ಕಿದ್ದ ಅಲ್ಲಿಂದ

ಅಲ್ಲಿ ಸಿಕ್ಕಿ ಸಿಕ್ಕಿದ ಸಿಕ್ಕಿದ ಬಿಟ್ಟಾ ಅನ್ನ 65 5 ಸಿ

ಸಿಕ್ಕಿ ಬಿಟ್ಟಿಕ್ಕಿ ಸಿ ಸಿಕ್ಕಿ ಸಿಕ್ಕಿ ಸಿಕ್ಕಿ ಸಿಕ್ಕಿ

ಸಿಕ್ಕಿ ಸಿಕ್ಕಿ ಸಿಕ್ಕ

ನಂ. 822

MYSORE GOVERNMENT
NOV - 1903
GENERAL AND REVENUE SECRETARIAT

ಅರ್ಜಿದಾರರಿಗೆ ಇರುವ ಜಮೀನಿಗೆ ಇಂಡೆಂಚರ್ ಹುಕುಂ

ನೀವು ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ 24-9-1903 ನೇ ಮುಮ್ಮಿನ ಅರ್ಜಿ

ವಿಷಯದಲ್ಲಿ

ಜತಾರೀಖು 2 ನೇ ಮಾಹೆ ನವೆಂಬರ್ ಸ್ಸ 1903 ನೇ ಇಸವಿ ದರಜಾಗಾ

ಬೆಂಗಳೂರು.

By Order,

H. Manjundayya

Secretary.

(F)
ನಂ.
1655

ಪೈಸೆಂದು ಸ್ವಗಿಸ್ಥ ಪೆದ್ದ ಶ್ರೀಮತ್ಪ್ರೇಮಕಾಂರಾಜಕವಳ
ಜನರಲ್ ಪುಕ್ಕಿಟ್ಟು ಕವೆಸು ಸಿಸಿಕ್ಕೆಬಿಡಿಲುಲ್
ಹುಜೂರಿನ ದಿವಾಣ ಕಚೇರಿಯಿಂದ.

GENERAL AND PEVE

ಅರ್ಜೀದಾರ ಅರಕಲಗೂಡು ತಾಲ್ಲೂಕು ಮಲ್ಲಿಕಾರ್ಜುನ - - - ಇವರು

ಇರುವ ಇಷ್ಟು ದಿವಸ ರಾಜೀ ಆಗಿಸಿಕೊಳ್ಳಲಿಕ್ಕೆ ಇಂಡಾರ್ಸ್ ಹುಕುಂ

ನೀವು ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ 20 - 1 — 04 ನೇ ಮೇಲ್ಕಂಡ ಅರ್ಜಿ
ಯನ್ನು ಜಾಗ್ರತೆಯಾಗಿ ವೈಸಲ್ಲಿಸಿ ಕಾಗದ ಪತ್ರಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ತಕ್ಕ ಪ್ರಕಾರ ಜಾಬ್ತಾ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೆ
ಪ್ರಯತ್ನ ಪಡಿಸಿದ್ದೇ. ಮುಂದೆ ಪ್ರಕರಣವನ್ನು ಕೈಬಿಡಲಿಕ್ಕೆ ಅಥವಾ ಕೈಬಿಡಿಸಲಿಕ್ಕೆ ಪ್ರಯತ್ನ
ಪಡಲಿಲ್ಲವೆಂದು ಸಾಕಷ್ಟು ಪ್ರಯತ್ನಗಳಾಗಿರುವಂತೆ ಅರಕಲಗೂಡಿಗೆ ಅಧ್ವಾನ
ಕೊಳ್ಳಲಿಕ್ಕೆ ಪ್ರಯತ್ನಪಡಿಸ

ಸಂಖ್ಯೆ :

ದಿನಾಂಕ :

ಸ್ಥಳ :

ಸಹಿ

Murzai. :

Read:

Appeal Petn no 2071 d 5th March 1904, of Ibbadi Basavaraj urs about his eviction from Sur: No 74 of Marur village, Arkalgud Taluk, granted as inam to the Sri Anjaneyadevaru temple of the said village.

And,

The following letter no 576 d 25th June 1904 from the D Commr of the Hassan Dt reporting on the above.

" In extenso. (Typed copy of letter)

No 2233 D 15/12/04 Order thereon :—

En file

d 2234

Under the circumstances explained in the Dr Commr's report read above,

~~Lands~~ Dy Commissioner's action in selling the land for the benefit of the temple is approved. The appeal is rejected.

8/12/04

Secretary
Interior Dept

(Dewan's order)

To
The Dy Comm: Hassan Dt: ret'd ~~em~~ records.

Endorsement to appellant.

By
Sec'y

W 7/12/04